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REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.112, and in light of the remarks which follow, are respectfully requested.

Claim 1 has been amended to change the titer range of the warp yarn to about 270-300 tex. Support for 270 as the lower limit of the range is found in originally filed claim 2. Claim 1 has also been amended to provide antecedent basis for "textile fabric" in the dependent claims. Claims 8 and 9 were also amended to provide antecedent basis for "textile fabric." Claims 1-17 remain pending in this application with claims 11-17 being withdrawn from consideration on the merits.

Applicants affirm their telephonic election of Group I, claims 1-10, without traverse.

Claims 1 and 4-9 were rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,267,151 (Moll) for the reasons set forth in paragraph (9) of the Office Action. Reconsideration and withdrawal of this rejection is requested in view of the above amendments and for at least the following reasons.

Claim 1 has been amended to specify that the minimum titer of the warp yarn is 270 tex. This titer is significantly above the maximum titer of the warp yarns of the reference. Moreover, there would have been no motivation for those of ordinary skill to modify the teachings of Moll '151 and employ warp yarns of 270 tex, particularly in view of the statement in column 1, lines 44-49 of the reference that patterned glass fabrics in accordance with his invention "can be produced after all by adhering to the above-addressed limiting values" (underlining added). Clearly, Moll '151 teaches away from exceeding the upper limit of 150 tex (\pm less than 10%).

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In view of the above, the §102 and §103 rejections over Moll '151 should be withdrawn. Such action is earnestly solicited.

Claim 10 was rejected under 35 U.S.C. §103(a) as obvious over Moll '151 as applied to claims 1 and 4-9 above, and further in view of any one of U. S. Patent No. 6,337,104 (Draxo et al) or U.S. Patent No. 6,759,116 (Edlund) for the reasons set forth in paragraph (10) of the Official Action. Reconsideration of this rejection is requested for at least the following reasons.

Moll '151 does not disclose or suggest a glass textile fabric as now set forth in claim 1. Accordingly, even if one combined the disclosure of Draxo et al '104 or Edlund '116 with that of Moll '151, the resultant textile fabric would not render obvious the fabric specified in claim 10. Accordingly, this rejection should be withdrawn.

Claims 1-7, 9 and 10 were rejected under §103(a) as being obvious over any one of Draxo et al '104 or Edlund '116 in view of U.S. Patent No. 3,755,051 (Stumpf) for the reasons set forth in paragraph (11) of the Office Action. Reconsideration of this rejection is requested in view of the above amendments and for at least the reasons which follow.

Neither Draxo et al '104 nor Edlund '116 disclose or suggest woven glass textile fabrics prepared using warp yarns having a titer of 270-300 tex. Stumpf '051 is directed to the preparation of high-loft nonwoven materials for use in preparing wall panels. The nonwoven materials are not prepared using a loom. Those of ordinary skill in the art seeking to modify the woven fabrics of Draxo et al '104 and Edlund '116 would not have been motivated to look to the nonwoven materials of Stumpf '051 nor would there have been a reasonable expectation of success in so modifying the textiles of the primary references.

For at least these reasons, the §103(a) rejection of claims 1-7, 9 and 10 on this ground should be withdrawn. Such action is earnestly solicited.

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Claim 8 was rejected under §103(a) as being obvious over any one of Draxo et al '104 or Edlund '116 in view of Stumpf '051 as applied to claims 1-7, 9 and 10 above, and further in view of Moll '151 for the reasons set forth in paragraph (12) of the Office Action. Reconsideration of this rejection is requested for at least the following reasons.

The combined disclosures of Draxo et al '104, Edlund '116 and Stumpf '051 fail to disclose or suggest the presently claimed textile for reasons discussed above. The fabric disclosed in Moll '151 likewise is significantly different from that of the present invention for reasons set forth previously. Accordingly, the combination of all four reference fails to render obvious the textile fabric of claim 8 and the §103(a) rejection should be withdrawn.

Claims 1-7, 9 and 10 were rejected under §103(a) as being obvious over any one of Draxo et al '104 or Edlund '116 in view of U.S. Patent No. 5,292,578 (Kolzer) for the reasons enumerated in paragraph (13) of the Office Action. Claim 8 was rejected under §103(a) as being obvious over any one of Draxo et al '104 or Edlund '116 in view of Kolzer '578 as applied to claims 1-7, 9 and 10 above, and further in view of Moll '151 for the reasons discussed in paragraph (14) of the Official Action. Reconsideration and withdrawal of these rejections are requested for at least the following reasons.

Neither of Draxo et al '104 nor Edlund '116 disclose or suggest a woven glass textile having warp yarns with a titer of 270 to 300 tex. Kolzer '578 is directed to the preparation of reinforced duroplastics containing a woven fabric as reinforcement, the fabric having expandable microspheres dispersed within the thread system of the fabric. When the microspheres are expanded by heating, the weft threads (covered) shrink slightly while the warp (covering) threads shrink substantially.

It is clear that the woven patterned textile fabric wallcoverings prepared in Draxo et al '104 and Edlund '116 are completely different from the woven glass fabric reinforcement

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disclosed in Kolzer '578. Given the significant differences between the fabrics disclosed in the primary references and that disclosed in Kolzer '578, those of ordinary skill would not have been motivated to substantially increase the titer of the warp yarns of the textiles of Draxo et al '104 and Edlund '116 nor would there have been a reasonable expectation that the modification would have been successful, i.e., improve the properties desired by the patentees.

Concerning the rejection of claim 8, Moll '151 does not supply the aforementioned deficiencies in the basic combination of cited art. The fabrics disclosed in Moll '151 are significantly different from the presently claimed fabrics. Accordingly, even if one modifies the fabrics disclosed in Draxo et al '104 and Edlund '116 in view of the disclosure in Moll '151, the resultant textile fabric would not render obvious the product of claim 8.

In view of the above, the §103(a) rejections of claims 1-10 over Draxo et al '104, Edlund '116, Kolzer '578 and Moll '151 should be withdrawn. Such action is earnestly solicited.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6683 at his earliest convenience.

Respectfully submitted,

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